

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

DORMAN ANGEL, et al.

Plaintiffs

vs.

**UNITED PAPERWORKERS
INTERNATIONAL UNION (PACE)
LOCAL 1967, et al.**

Defendants

: CIVIL ACTION NO. **C-1-01-467**
:
: JUDGE: **BECKWITH**
: MAGISTRATE JUDGE: **SHERMAN**
:
:
: **PLAINTIFFS' MEMORANDUM IN**
: **RESPONSE TO THE BILL OF COSTS**
:
:
:

Now come Plaintiffs, by and through counsel, and hereby states that he has reviewed the request for bill of costs filed by the United Paperworkers International Union. Plaintiffs' counsel states that based upon the rules relating to the assessment of costs, that the identification of the costs are recoverable under the rules relating to this honorable court. However, Plaintiffs' counsel request that the court stay any decision until such time as the time period identified under Supreme Court 13 expires. Plaintiffs state that they intend to file a request for review with the United States Supreme Court. That request will be filed within 90 days from the date of the appellate court judgment of February 28, 2007. Therefore, Plaintiffs' counsel requests that any decision on the bill of costs not be rendered until the United States Supreme Court issues a decision relating to Plaintiffs' request for a review of the Sixth Circuit decision in the above-captioned matter.

RESPECTFULLY SUBMITTED,

/s/ Mark J. Byrne

MARK J. BYRNE - #0029243

JACOBS, KLEINMAN, SEIBEL & MCNALLY

Trial Attorneys for Plaintiffs

2300 Kroger Building

1014 Vine Street

Cincinnati, OH 45202

Tele: (513) 381-6600

Fax: (513) 381-4150

CERTIFICATE OF SERVICE

I hereby certify that on April 24, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Grant S. Cowan, Esquire
Frost Brown Todd LLC
Attorney for Defendant
International Paper Company
2200 PNC Center
201 E. Fifth Street
Cincinnati, OH 45202
gcowan@fbtlaw.com

Vincent J. Miraglia, Esquire
International Paper Company
Legal Department
6400 Poplar Avenue
Memphis, TN 38197
vincent.miraglia@ipaper.com

W. Carter Younger, Esquire
McGuire Woods LLP
Attorney for Defendant
International Paper Company
One James Center
901 E. Cary Street
Richmond, VA 23219
cyounger@mcquirewoods.com

Peter M. Fox, Esquire
Manley Burke LPA
225 West Court Street
Cincinnati, OH 45202-1098
info@manleyburke.com

Daniel M. Kovalik, Esquire
Assistant General Counsel
United Steelworkers Legal Department
Attorney for Defendant
PACE International Union
5 Gateway Center, Suite 807
Pittsburgh, PA 15222
dkovalik@steelworkers-usw.org

Robert I. Doggett, Esquire
Attorney for Defendant
PACE Local 5-1967
6740 Clough Pike, Room 200
Cincinnati, OH 45244
rdoggett@fuse.net

/s/ Mark J. Byrne

MARK J. BYRNE - #0029243

Attorney for Plaintiffs